IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

OP.No. 27349 of 2002(E)

PETITIONER:

M. AZEEZ, AGED 37 YEARS,
S/O.MOHAMMED KUNJU, KOCHUMANGALATH HOUSE,
CLAPPANA P.O., KARUNAGAPPILLY,
KOLLAM DISTRICT.

BY ADV. SRI.T.O.XAVIER.

RESPONDENTS:
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1. **THE ASSISTANT EXECUTIVE ENGINEER,**
   KERALA STATE ELECTRICITY BOARD,
   ELECTRICAL MAJOR SECTION, OCHIRA.

2. **KERALA STATE ELECTIRICITY BOARD,**
   TRIVANDRUM, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.T.G.RAJENDRAN,
SRI.C.K.KARUNAKARAN, SC FOR KSEB.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 30/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO. 46449/2002 IN O.P. NO. 27349/2002

DISMISSED

30/07/2007. **SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DTD. 02/09/2002.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

P.A. TO JUDGE

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.27349 OF 2002

Dated this the 30th day of July, 2007

JUDGMENT

The petitioner's complaint is regarding non-payment of compensation for trees, which he alleges as having been cut and removed. In the counter affidavit dated 22.11.2002, it is stated that no trees were cut and removed while the line was energised in 1998 and there was a proposal to cut two trees owing to the requirement of upgrading the route.

In the aforesaid circumstance, this writ petition is disposed of directing that if any tree of the petitioner is cut and removed, the Board will follow appropriate procedure in accordance with law for fixation of compensation, if any, due.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.27349 OF 2002

JUDGMENT

30TH JULY, 2007.

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